

**REMARKS**

Applicants thank the Examiner for considering Applicants' arguments set forth in Applicants' Amendment of November 13, 2003 and for withdrawing rejection of claim 3 under 35 U.S.C. § 112, first paragraph; claims 3-14 under 35 U.S.C. § 112, first paragraph; claim 3 and claims 4-9 under 35 U.S.C. § 112, second paragraph and the rejections under 35 U.S.C. § 103 in view of Ong.

Currently Claims 1-14 are pending with Claims 1 and 2 withdrawn from consideration and Claims 3-14 stand rejected. In this amendment, Applicants have amended the Figure legends and page 19 line 4 of the specification to correct clerical numbering errors and believe that this adds no new matter. Applicants added four sentences which paraphrase original claims 11-14 on page 4 of the specification immediately following line 26. As these claims were in the application as filed, it is believed that addition of the text of these original claims to the specifications does not add any new matter. Additionally, although Applicants do not believe it necessary, Applicants have amended Claim 3 without changing the scope of the claim to remove the phrase "having the ability"; Applicants believe that the amendment will remove the phrase from being a further issue. Applicants request that the Examiner enter these amendments.

**Drawings**

Regarding the objections maintained with respect to the Figures, please find enclosed a copy of the six figures with legends on each figure corrected to correspond to figures 1-6 not 2-7. This correction addresses a clerical numbering error and does not add any new matter.

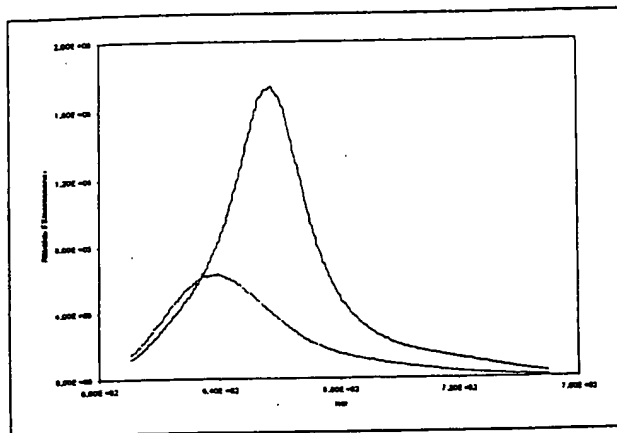
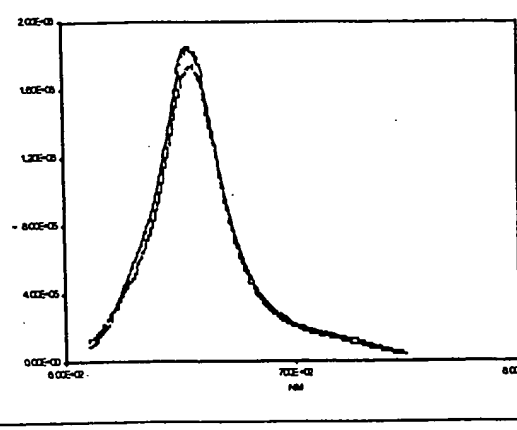
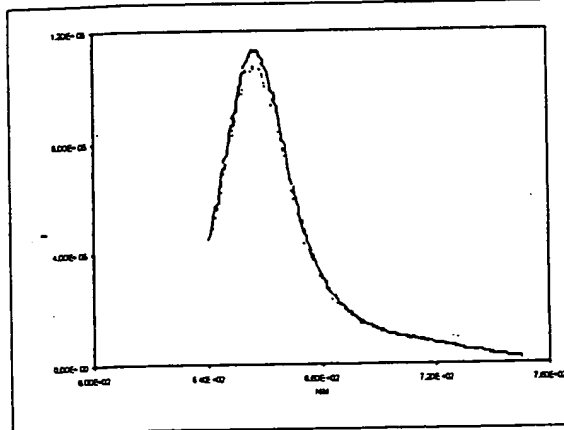


Figure 1A. Fluorescence emission spectra of 500 ng/mL APC stored for 0 h (solid line) and 2 h (dotted line) at room temperature. Note that at 0 h the emission maximum was 660 nm while after 2 h it shifted to 642 nm and lost 50% of its fluorescence emission intensity.

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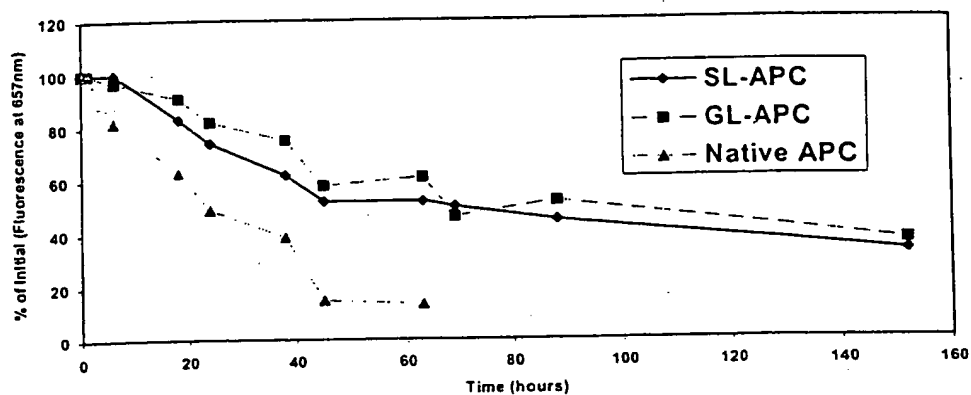
Figures 2B & 2C. Fluorescence emission spectra for SL-APC (B: left graph) and XL-APC (C: right graph) stored at 500 ng/mL in PBS for 0 h (solid line) and 2 h (dotted line).

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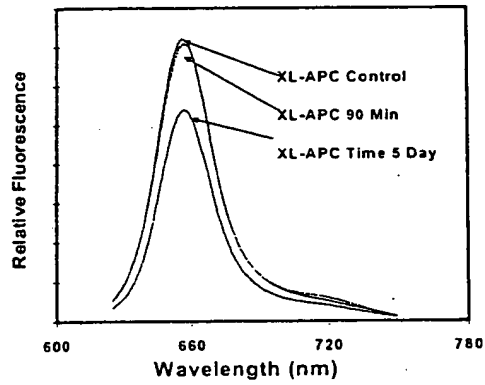
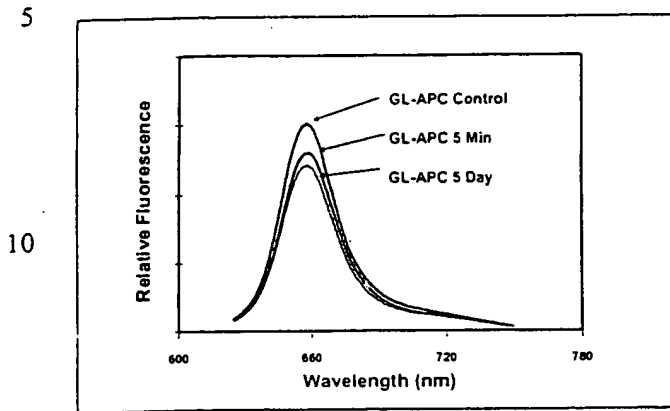
Figure 3: Effect of high temperature (65°C) on APC, SL-APC and XL-APC stability. Change in relative fluorescence intensity (CPS) at 660 nm between Native APC (dot/dashed line), SL-APC (solid line) and XL-APC (dashed line) over time when stored at 65°C.

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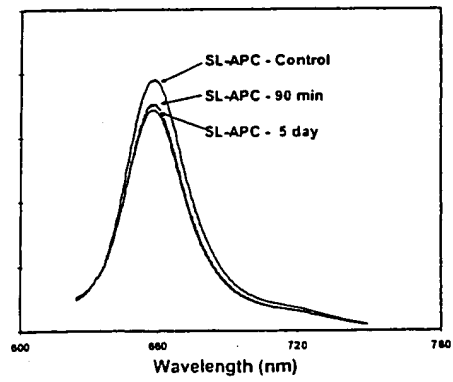




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Figure A



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- 4  
5 Figure 8. Detection of Phosphorylated Poly-GAT with Europium labeled Anti-Phosphotyrosine IgG (PY20) and SL-APC labeled streptavidin or a commercially available XL-APC labeled streptavidin. Poly-GAT was phosphorylated with a src-tyrosine kinase and then titrated from 0 ng to 12 ng. Positive phosphorylation was measured as a ratio using two wavelengths (620 & 650 nm) as previously described (Mathis, *Clin. Chem.*, 41:1391-1397, 1995).

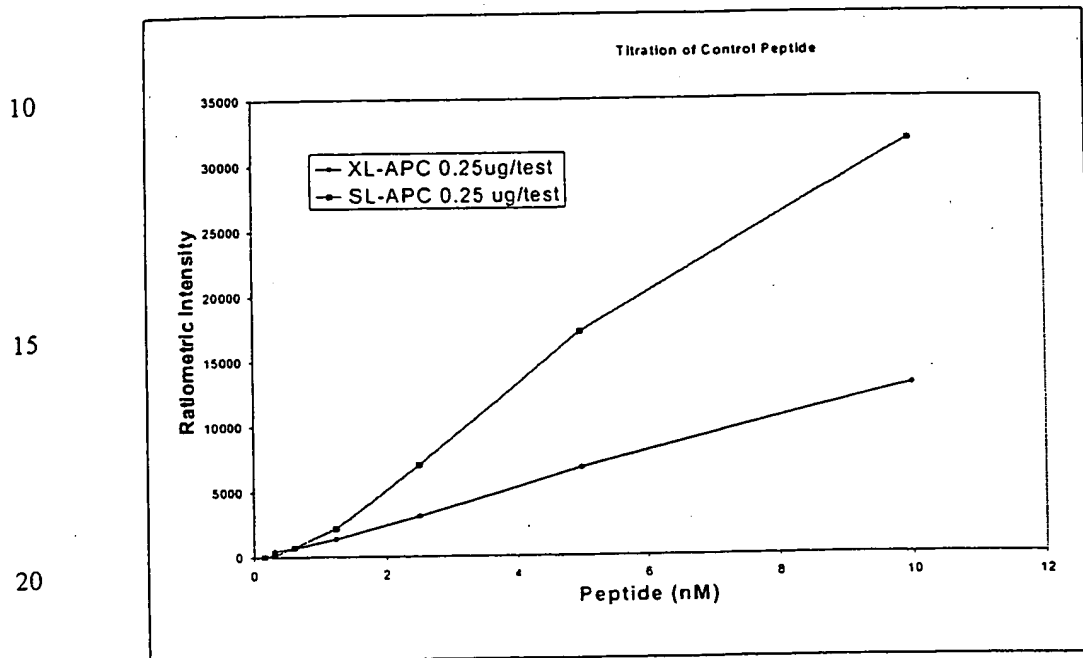




Figure 5

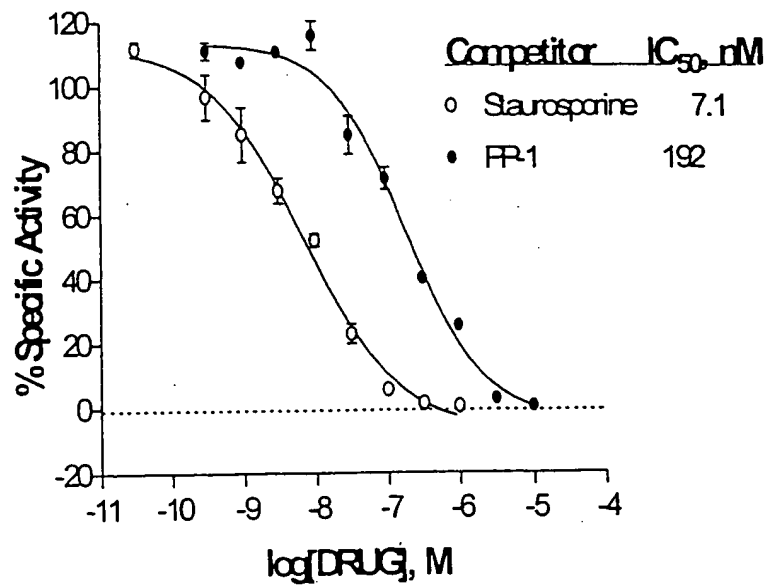




Figure 7

